

REMARKS

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-27 remain pending. No claims have been amended, canceled or added.

Rejection of Claims 1-27

On page 3 of the Final Office Action of March 2, 2006, the Examiner rejected claims 1-27 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 6,681,252 to Schuster et al. ("Schuster"). Applicants respectfully traverse the rejection of all claims.

Amended independent claim 1 is directed to a method of establishing one of a plurality of network links on a computer system. The method includes a) associating one or more alternative network link designations with one or more of the network links, b) requesting a first network link of the plurality of network links, c) attempting to initiate the first network link, d) determining whether a particular alternative network link designation is associated with the first network link, and e) if the step c) fails to establish the first network link and if the particular alternative network link designation is associated with the first network link, attempting to initiate, by the computer system, a particular network link of the plurality of network links based on the particular alternative network link designation. Applicants submit that Schuster fails to disclose or suggest each and every feature of claim 1.

On page 3 of the Office Action, the Examiner alleged that Schuster, at Fig. 2, and col. 10, lines 1-26, discloses or suggests associating one or more alternative network link designations with one or more of the network links. Applicants respectfully disagree.

Schuster, at col. 10, lines 1-26, discloses:

The data network telephone 208a in FIG. 3 is connected to the network 212 by a network interface 270. The network interface 270 may, for example, be a network

interface card, and may be in the form of an integrated circuit. A bus 248 may be used to connect the network interface 270 with a processor 240 and a memory 242. Also connected to the processor are user interface circuitry 260 and three alternative link interfaces to a PID, such as the PID 210a.

A first link interface 248 includes an RS-232 serial connection and associated coupling hardware and mechanisms. The first alternative link interface 248 may, for example, be a docking cradle for a PDA (Personal Digital Assistant), in which information can be transferred between the PDA and the data network telephone 208a. The second alternative link interface comprises a first connection 254, such as an RS-232 connection, along with infrared circuitry 250 for converting signals into infrared output and for accepting infrared input. An infrared interface 252 may also be included within the second alternative link interface. The third alternative link interface comprises a first connection 256, such as an RS-232 connection, along with radio-frequency circuitry 258 for converting signals into radio frequency output and for accepting radio frequency input. A radio frequency interface 259 may also be included as part of the third alternative link interface.

Thus, with reference to Fig. 3 of Schuster, Schuster discloses a data network telephone 208a connected to a network 212 by a network interface 270. User interface circuitry 260 and three alternative link interfaces to a Personal Information Device (PID) are connected to processor 240. A first link interface 248 includes an RS-232 serial connection. A second alternative link interface may include a first connection 254, for example, an RS-232 connection with infrared circuitry 250 and infrared interface 252. A third alternative link interface may include a first connection 256, for example, an RS-232 connection, radio frequency circuitry 258 and a radio frequency interface 259.

Applicants submit that the above-cited portion of Schuster discloses alternative link interfaces. However, claim 1 requires associating one or more network link designations with one or more of the network links. Applicants submit that a link interface is not equivalent to a network link. A link interface defines how a device is connected via a link. For example, in Fig. 3 of Schuster, three link interfaces are shown that can be used to link the data network telephone with a PID. In Schuster, a PID may be linked with a data network telephone via an RS-232 link interface, an infrared link interface of a radio frequency link interface. However, the link

between a data network telephone and a PID, as disclosed by Schuster, is not a network link. No network exists between the PID and the data network telephone to which it is linked. For at least the reasons discussed above, the cited portion of Schuster, as well as any other portion of Schuster, fails to disclose or suggest associating one or more alternative network link designations with one or more of the network links, as required by claim 1.

On page 3 of the Final Office Action, the Examiner alleged that Schuster, at col. 9, lines 24-42, discloses or suggests determining whether a particular alternative network link designation is associated with a first network link. Applicants disagree.

Schuster, at col. 9, lines 24-42, discloses:

The data network telephones 208a-b and 218a in the system 200 preferably have pre-programmed device identifiers (e.g. phone numbers), represented as SIP-URL's that are of the form sip: user@domain. An example is sip: 8475551212@3Com.com. After power-up, each of the data network telephones 208a-b and 218a sends a SIP REGISTER message to the default registrar, such as the network telephony servers 150 and 162. When a call arrives at one of the network telephony servers 150 or 162 for any of the registered SIP URLs, the server will forward the call to the appropriate destination. If a data network telephone is moved to a new location, all calls to the associated SIP URL will still be properly routed to that device. In other words, the system in FIG. 2 provides device mobility in the sense that calls will "follow" the data network telephone according to its SIP URL. This is especially useful if the data network telephone 208a-b or 218a is running the DHCP (Dynamic Host Configuration Protocol) so that when the location is changed, the IP address is also automatically changed.

Thus, Schuster discloses that data network telephones have preprogrammed identifiers that identify the data network telephones. After power-up, each of the data network telephones sends a SIP Register message to register the respective data network telephone. When a data network telephone is moved to a new location and a call arrives at a server for the moved data network telephone, the call may be routed to the data network telephone at its new location. However, routing a call to a data network telephone at a new location is not equivalent to determining whether a particular alternative network link designation is associated with the first network link, as required by claim 1. Nothing in Schuster discloses or suggests that the new network link that

is used to route the call to the data network telephone's new location is designated as an alternative network link associated with the first network link. In fact, if two different network links are used for a connection to the data network telephone, one for the data network telephone at its old location and one for the data network telephone at its new location, the new network link would be used only because the data network telephone was moved and the telephone registered its location, not because of any association between the two network links.

On pages 3 and 4 of the Final Office Action, the Examiner alleged that Schuster, at col. 5, lines 59-65, col. 6, lines 54-58, Fig. 1, elements 110A, 108a, 110b, and col. 10, lines 27-35, discloses if step c) fails to establish the first network link and if the particular alternative network link designation is associated with the first network link, attempting to initiate, by the computer system, a particular network link of the plurality of network links based on the particular alternative network link designation. Applicants disagree.

Schuster, at col. 5, lines 59-65, discloses:

Links 109a-b are point-to-point links, and may entirely or partially wireless, or they may be hard-wired connections. Each of the links 109a-b is preferably a wireless link, such as an infrared link specified by the Infrared Data Association (IrDA) (see irda.org for further information) or a radio frequency (RF) link such as the Bluetooth system (see www.bluetooth.com for further information). However, the point-to-point link can also be a hardwired connection, such as an RS-232 serial port.

Thus, Schuster discloses that the link between a PID and its respective network data phone is a point-to-point-link and that each link may be a wireless link, an infrared link, or a radio frequency link. However, the point-to-point link is not a network link. The link is simply a connection between two devices without necessarily involving a network.

Schuster, at col. 6, lines 46-58, discloses:

The PID data can be communicated across the link 109a to the voice communication devices 108a for transport across the first access network 112, the data network 106, and the second access network 114 to the voice communication device 108b. The PID 110b can receive the PID data across the link 109b for

display on the PID 110b. A voice-over-data channel for communicating voice-over-data can concurrently exist with this communication of the PID data over a graphical data channel. In this way, a user of the PID 110a can communicate PID data to a user of the PID 110b while voice signals are communicated between the voice communication device 108a and the voice communication device 108b.

Thus, Schuster discloses that PID data can be communicated from PID 110a via link 109a to voice communications device 108a over first access network 112, data network 106, second access network 114 to voice communication device 108b and finally to PID 110b via link 109b. A voice-over-data channel for communicating voice-over-data can concurrently exist with communication of PID data over a graphical data channel. In this way, PID data may be communicated while voice signals may be communicated between voice communication devices. Applicants submit that the above cited portion of Schuster has nothing to do with any action to be taken when an attempt to initiate a network link fails.

Schuster, at col. 10, lines 27-35, discloses:

The three alternative link interfaces described above are merely examples, and additional means for implementing the link interface between the data network telephone 208a and the PID 210a may also be used. Although three link interfaces are shown in FIG. 3, there may be only one such interface in the data network telephone 208a. More than one link interface may be included to improve flexibility and to provide redundancy in case of failure of one of the link interfaces.

Thus, Schuster discloses three alternative link interfaces. However, for at least the reasons discussed previously, alternative link interfaces are not alternative network links.

For at least the reasons discussed above, Applicants submit that Schuster fails to disclose or suggest each and every feature of claim 1. Therefore, Schuster fails to anticipate claim 1 and Applicants respectfully request that the rejection of claim 1 be withdrawn.

Claims 2-7 depend from claim 1 and are not anticipated by Schuster for at least the reasons discussed with respect to claim 1. Therefore, Applicants respectfully request that the rejection of claims 2-7 be withdrawn.

Independent claims 8, 15 and 22 recite features similar to those of claim 1 and are not anticipated by Schuster for at least reasons similar to those provided with respect to claim 1. Therefore, Applicants respectfully request that the rejection of independent claim 8 and corresponding dependent claims 9-14, independent claim 15 and corresponding dependent claims 16-21, and independent claim 22 and dependent claims 23-27 be withdrawn.

Applicants' Comments With Respect To Examiner's Response to Remarks

On page 2 of the Final Office Action, the Examiner explained his reasoning for maintaining the rejection of claims 1-27 as follows:

Schuster teaches the user of PID 110a can alternatively communicate to a user of the PID 110b, by the PID data network telephony system which is initiated by the computer system, when the voice signals are busy between device 108a and 108b (Schuster, col. 6, l 54-58, fig. 1 elements 110a, 108a, 110b, 108b). Moreover, in Fig. 3, and 4, Schuster discloses the network telephone, and PID device are equipped with three designated links: Bluetooth system, infrared link, and Ethernet link for VoIP (Schuster, Col. 5, l. 59-65). In case one of the link interface failed, the system provides link redundancy. (Schuster, col. 10, l. 33-35).

As previously discussed, Schuster discloses three alternative link interfaces, **NOT** alternative network links. Link interfaces are not the equivalent of network links. Further, Schuster discloses that voice signals and data signals can coexist between devices 108a and 108b (see Schuster, at col. 6, lines 52-58, col. 12, lines 4-22, and col. 19, lines 53-63). Therefore, Schuster fails to teach that the user of PID 110a can alternatively communicate to a user or PID 110b, by the PID data network telephony system when voice signals are busy between device 108a and 108b, as alleged by the Examiner, because signals carrying either voice or data may be sent between devices 108a and 108b without one precluding the other.

CONCLUSION

Having addressed all rejections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: April 28, 2006

By: Richard C. Irving

Correspondence Address:

Cust. No. 49637

Berry & Associates, P.C.

9255 Sunset Boulevard, Suite 810

Los Angeles, CA 90069

Phone: (310) 247-2860

Fax: (310) 247-2864

Richard C. Irving

Attorney for Applicants

Reg. No. 38,499

Phone: 410-414-3056